

No. 9/5/84-6Lab/8205.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Quality Disc. Mfg. Co. (P) Ltd. M.I.E., Bahadurgarh.

BEFORE SHRI B. P. JINDAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 257 of 1983

between

SHRI SURENDER, WORKMAN AND THE MANAGEMENT OF M/S QUALITY DISC. MFG. CO. (P) LTD., M.I.E., BAHADURGARH

Present.—

Shri Dhan Singh, A. R. for the workman.

Shri M. M. Kaushal, A. R., for the management.

AWARD

1. In exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, the Governor of Haryana referred the following dispute, between the workman Shri Surender and the management of M/s. Quality Disc Mfg. Co. (P) Ltd., MIE, Bahadurgarh, to this court for adjudication,—vide Labour Department Gazette Notification No. 61947-52, dated 24th November, 1983:—

Whether the termination of service of Shri Surender was justified and in order? If not, to what relief is he entitled?

2. The workman alleged that he was employed with the respondent as a helper on monthly wages of Rs. 360. The respondent factory was closed on 28th December, 1982 under pretext of seasonal practice for a period of two months. The factory started again on 18th March, 1983. The workman reported for duty what he was put off on one pretext or the other and in this way his termination was illegal, unjustified and against the provisions of 25-F (g) of the Industrial Disputes Act, 1947.

3. After receipt of the reference, notices were issued to the parties. The management appeared through Shri M. M. Kaushal Authorised Representative. Originally Shri Dhan Singh is labour leader put his appearance for the workman but today he made a statement that he is not in a position to file the claim statement, because whereabouts of the workman are not known to him. The address of the workman as given on the reference is through city office, near Bus Stand, Bahadurgarh. The home address of the workman is not on the file. Under the circumstances, notice cannot be given to the workman to procure his presence. Even otherwise, it seems, that the workman is not interested in prosecution of the reference. So the same is dismissed for non-prosecution and answered accordingly. There is no order as to cost.

Dated the 8th October, 1984.

B. P. JINDAL,

Presiding Officer,
Labour Court,
Rohtak.

Endorsement No. 3501, dated 8th November, 1984.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

B. P. JINDAL,

Presiding Officer,
Labour Court,
Rohtak.